

FILED

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2008 JUL 24 PM 1:30

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIABY *[Signature]* DEPUTY

4 ATTORNEY FOR PLAINTIFF,  
 5 DELIA V. OPINION

6  
 7 NUNC PRO TUNC  
 8 IN THE UNITED STATES DISTRICT COURT JUL 23 2008  
 9 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

10 ) CASE NO.: 3:08-CV-00944-BEN-NLS  
 11 )  
 12 ) PLAINTIFF DELIA OPINION'S  
 13 ) REQUEST FOR AN EXTENSION OF TIME  
 14 ) TO SERVE DEFENDANTS IN THIS  
 15 ) CASE.  
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DELIA V. OPINION,  
 PLAINTIFF,  
 VS.  
 UNITED STATES NAVY & MARINE  
 CORPS; SUSAN OTTOBRE, BONITA  
 DAVID, MARK BURHART; JACK  
 FLANAGAN; MICHAEL THOMAS, RUBEN  
 QUINONEZ, REMY SONGCO, ZENAIDA  
 KASPICK, SANDBERG & SIKORSKI,  
 MARIFI SZUMONSKI, LIGAYA DAVIS  
 AND DOES 1 THROUGH  
 10, INCLUSIVE,  
 DEFENDANTS.

Plaintiff, Delia Opinion, respectfully request an extension of time to serve the summons and complaint in this case. Plaintiff has been unable to serve all the defendants and needs additional time to amend the complaint to add an essential party to this action, Donald C. Winter, Secretary of the Navy. This request is being made pursuant to Rule 4 (4) Extending Time:

The court must allow a party a reasonable time to cure its failure to:

Extend Time for Service of Summons and Complaint -

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1 (A) serve a person required to be served under Rule 4(i)(2), if the party has served  
2 either the United States attorney or the Attorney General of the United States; or

3 (B) serve the United States under Rule 4(i)(3), if the party has served the United  
4 States officer or employee.

5 3) Officer or Employee Sued Individually.

6 To serve a United States officer or employee sued in an individual capacity for an  
7 act or omission occurring in connection with duties performed on the United  
8 States' behalf (whether or not the officer or employee is also sued in an official  
9 capacity), a party must serve the United States and also serve the officer or  
employee under Rule 4(e), (f), or (g).

10 In accordance to the foregoing statements pursuant to Rule 4, plaintiff  
11 requests an extension of time until August 21, 2008 to serve the complaint and  
12 summons.

13  
14 Date 7/21/08

15 LAW OFFICE OF BONITA P. MARTINEZ

16 BY: Bonita P. Martinez

17 Bonita P. Martinez, Esq.  
18 Attorney for Plaintiff,  
19 Delia V. Opinion